

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
The Commission Begins the Process for) ET Docket No. 21-352
Authorizing 6 GHz Band Automated Frequency)
Coordination Systems.)
)
)
)

ORDER

Adopted: October 25, 2023

Released: October 25, 2023

By the Chief, Office of Engineering and Technology:

1. On August 24, 2023, the Office of Engineering and Technology released a Public Notice in which we detailed a process to begin lab testing and the public trial required for the conditionally approved Automatic Frequency Coordination (AFC) systems to receive final approval for commercial operation.1 The Public Notice required AFC applicants to file a notice on the record at least one week before their public trial test portal became accessible.2 The subsequent deadline for public trial testing would be set 45 days after the date the portal became publicly accessible.3 Further, the Public Notice required AFC applicants be capable of accepting challenges to the available frequencies and/or permitted power levels returned by the portal for 15 days after the end of the 45 day public trial testing period.4 Six AFC applicants filed the required notice and began public testing. However, because those notices were filed on different days and each trial started on a different day, the trial end dates and window for filing challenges also varies.5

2. On October 17th, 2023 the Electric Power Research Institute (EPRI) filed a request to extend the established challenge end dates by approximately 30 days.6 EPRI claims it submitted and conducted analyses of over a hundred test vectors in early September.7 However, two AFC applicants, Comsearch and Federated Wireless, sent out updated/revised test results more than 30 days after EPRI had received the initial responses.8 EPRI argues that more time is needed to conduct an accurate analysis of the

1 OET Announces Commencement of Testing of the 6 GHz Band Automated Frequency Coordination Systems, ET Docket No. 21-352, Public Notice, DA 23-759 (Aug. 24, 2023).

2 Id. at 7, para. 17.

3 Id.

4 Id.

5 The six AFC applicants currently conducting public trials are: Broadcom (start date September 5, 2023), Qualcomm (start date September 6, 2023), Wi-Fi Alliance (start date September 6, 2023), Federated Wireless (start date September 7, 2023), Comsearch (start date September 8, 2023), and Sony (start date September 11, 2023).

6 Request for Extension of Deadline, Electric Power Research Institute (EPRI), ET Docket No. 21-352, filed Oct. 17, 2023.

7 Id. at 1.

8 Id. at 2.

updated results. EPRI believes that 30 days is sufficient to account for the time between the initial and revised responses.⁹

3. Comsearch opposes EPRI's request noting that the Commission established a total of 60 days for the public to interact with the AFC systems and prepare challenges and believes that this time is sufficient.¹⁰ The Wi-Fi Alliance also opposes EPRI's request claiming that EPRI provides no facts or circumstances that require the Commission to deviate from its policy.¹¹ According to the Wi-Fi Alliance, the AFC applicants have performed as required by providing results and responding to challenges within the 60 days provided for testing and challenges.¹² The Wi-Fi Alliance states that EPRI alleges it needs more time to perform further analysis to presumably submit an additional response to the information provided by the AFC applicants. The Wi-Fi Alliance characterizes this as an iterative process not contemplated by the Public Notice that amounts to an untimely disguised petition for reconsideration.¹³

4. The Commission does not routinely grant extensions of time.¹⁴ However, we believe an extension is appropriate in these circumstances. According to EPRI, it submitted a large number of test vectors to the common test portal prior to the beginning of the public trial period and did not receive the revised test results until a month after the public trial period had commenced for the two AFC applicants.¹⁵ While EPRI states they had prepared challenges based on some of the initial test responses, neither EPRI nor the AFC applicants indicate that EPRI had submitted these challenges to the AFC applicants. Hence, EPRI is not requesting a time extension to establish an iterative process to make multiple challenges to the test responses as the Wi-Fi Alliance claims. Instead, EPRI is requesting additional time to perform an analysis of the revised test results which it received after a delay.

5. Consequently, we will grant a 15 day extension to the challenge end dates for the Comsearch and Federated Wireless public trial testing.¹⁶ We note that the revised test results were received by EPRI before the end of the 45 day public trial period for the two AFC systems. Consequently, extending the challenge deadline an additional 15 days will provide EPRI and others more than 30 days to examine these results. We believe granting an additional 15 days will provide the public with sufficient opportunity to examine all the test results and challenge any, if appropriate. The revised challenge deadlines will apply to all entities submitting challenges regarding test results received from the Comsearch and Federated Wireless public trial test portals.

⁹ *Id.* at 1.

¹⁰ Comsearch Oct. 24, 2023 *Ex Parte*, ET Docket No. 21-352, at 2.

¹¹ Wi-Fi Alliance Oct. 24, 2023 *Ex Parte*, ET Docket No. 21-352, a 1.

¹² *Id.* at 2.

¹³ *Id.* at 2-3.

¹⁴ 47 C.F.R. § 1.46(a).

¹⁵ Request for Extension of Deadline, Electric Power Research Institute (EPRI), ET Docket No. 21-352, filed Oct. 17, 2023 at 2.

¹⁶ If other AFC applicants provide revised test results for their public trial portals, we will expeditiously consider request for extension of their challenge deadlines.

6. Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.51, 0.261, and 1.46 of the Commission's Rules, 47 C.F.R. §§ 0.51, 0.261, and 1.46, the Request for Extension of Challenge End Dates filed by the Electric Power Research Institute IS GRANTED to the extent indicated herein and the deadlines for accepting challenges are extended by 15 days.

FEDERAL COMMUNICATIONS COMMISSION

Ronald T. Repasi
Chief
Office of Engineering and Technology